Date

James S. Knight
1073 Cleveland Street
Franklinton, Louisiana 70438

Re: Ethics Board Docket No. 2021-366

Dear Mr. Knight:

The Louisiana Board of Ethics, at its July 9, 2021 meeting, considered your request for an advisory opinion as to whether you may represent a client in a custody proceeding against an employee of the Town of Franklinton while you serve as Town Attorney for the Town of Franklinton.

FACTS PROVIDED

You are currently serving as the Town Attorney for the Town of Franklinton. You have a client who is involved in a custody proceeding against an employee of the Town. The Town currently has no claim, investigation or any other matter pending with respect to the employee. The Mayor has also changed your duties so that you have no oversight over the employee's department.

ANALYSIS

Given that the transaction you are engaged in does not involve the Town, this would not be a violation of the Code of Governmental Ethics. However, as the Board does not have the authority to opine on matters of the Louisiana Rules of Professional Conduct, you should contact the Louisiana Office of Disciplinary Counsel. Their website is found at http://www.ladb.org.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would not prohibit you from serving as attorney to a client in a proceeding against a Town employee to the extent that the proceeding is not related to Town business. The Board expresses no opinion as to whether such representation would be prohibited under the Louisiana Rules of Professional Conduct.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

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Charles E. Reeves, Jr.
For the Board